Proposed General Plan Update Goals, Policies, and Implementation Actions



Community Safety & Hazards Management

The General Plan includes Goals, Policies and Implementation Actions for the promotion of community safety, including policies related to the mitigation of naturally occurring hazards and for the delivery of public services related to law enforcement, fire, and emergency management.

Providing an urban environment constructed with safe, durable elements and high quality public safety services is the foundation for maintaining a safe and secure community and fundamental to achievement of the City's General Plan goals for the development of a City attractive to residents, businesses and visitors. The public safety services provided by the City are supported by land use planning, urban, site and architectural design measures and collaborative community practices that take public safety into account (e.g., eyes on the street). Building a strong economy, providing cultural and recreational opportunities, and fostering effective partnerships with the community, such as neighborhood watch programs, can also contribute to the overall safety and welfare of the City's residents.

The City's Office of Emergency Services, (OES), provides services to the City and to the community to prepare an effective response to natural, technological, and human-caused disasters. San Jose coordinates with the Federal Emergency Management Agency (FEMA) and the State of California Governor's Office of Emergency Services. Maintenance and activation of the Emergency Operations Center (EOC) is a primary mission of OES. In addition, OES monitors federal and state legislation that directly impacts the provision of emergency services to the community. In conjunction with the Office of Intergovernmental Relations, OES develops recommendations on legislative policy and positions for City Council adoption, monitoring legislative or regulatory actions to ensure that City concerns are addressed.

Code enforcement also plays a role in Community Safety. Properties with public nuisance violations and blighted or deteriorated conditions are identified, and substandard or dangerous buildings must be either repaired or demolished. Communication with residents and businesses is maintained to develop public outreach, provide education, and to facilitate voluntary compliance with city ordinances. Core code enforcement services include inspection and preservation of existing housing stock, health and safety code response, safe and fair business operations, vehicle abatement, and ensuring well-maintained properties.

Goals, Policies and Implementation Actions related to safe operation of the Airport are also included under Community Safety. Other Goals, Policies and Implementation Actions for Hazards Management, previously reviewed by the Task Force at the February 8, 2010 Task Force meeting, are included in this section for reference.

Community Safety – Law Enforcement and Fire Protection

Goal CS-1:

Provide high-quality law enforcement and fire protection services to the San Jose community to protect life, property and the environment through fire and crime prevention and response. Utilize land use planning, urban design and site development measures and partnerships with the community and other public agencies to support long-term community health, safety and wellbeing.

CS-1 Law Enforcement and Fire Protection Policies

Policy CS-1.1 Provide rapid and timely Level of Service response time to all emergencies:

- 1. For police protection, achieve a response time of six minutes or less for 60 percent of all Priority 1 calls, and of eleven minutes or less for 60 percent of all Priority 2 calls.
- 2. For fire protection, achieve a total response time (reflex) of eight minutes and a total travel time of four minutes for 80 percent of emergency incidents.
- 3. Enhance service delivery through the adoption and effective use of innovative, emerging techniques, technologies and operating models.
- 4. Measure service delivery to identify the degree to which services are meeting the needs of San Jose's community.
- 5. Ensure that development of police and fire service facilities and delivery of services keeps pace with development and growth in the city.
- Policy CS-1.2 Strive to ensure that equipment and facilities are provided and maintained to meet reasonable standards of safety, dependability, and compatibility with law enforcement and fire service operations.
- Policy CS-1.3 Locate police and fire service facilities so that essential services can most efficiently be provided and level of service goals met. Ensure that the development of police and fire facilities and delivery of services keeps pace with development and growth of the city.
- Policy CS-1.4 Construct and maintain architecturally attractive, durable, resource-efficient, environmentally sustainable and healthful police and fire facilities to minimize operating costs, foster community engagement, and express the significant civic functions that these facilities provide for the San Jose community in their built form. Maintain City programs that encourage civic leadership in green building standards for all municipal facilities.

Policy CS-1.5	Co-locate public safety facilities with other public or private uses to promote efficient use of space and provision of police and fire protection services within dense, urban portions of the city.
Policy CS-1.6	Work with local, State, and Federal public safety agencies to promote regional cooperation in the delivery of services. Maintain mutual aid agreements with surrounding jurisdictions for response to fire and hazardous materials.
Policy CS-1.7	Promote public safety by strengthening community partnerships, public awareness and the education of community members. Maintain communication with the community to improve relationships and customer satisfaction, while continually exploring innovative means of communication. Train community members in community policing and emergency response practices.
Policy CS-1.8	Use the Land Use / Transportation Diagram to promote a mix of land uses that increase visibility, activity and access throughout the day and to separate land uses that foster unsafe conditions.
Policy CS-1.9	Implement urban design techniques that promote public and property safety in new development through safe, durable construction and publicly-visible and accessible spaces.
Policy CS-1.10	Incorporate universal design measures in new construction, and retrofit existing development to include design measures and equipment that support public safety for people with diverse abilities and needs. Work in partnership with appropriate agencies to incorporate technology in public and private development to increase public and personal safety.
Policy CS-1.11	Ensure that adequate water supplies are available for fire-suppression throughout the city. Require development to construct all necessary fire suppression infrastructure and equipment.
Policy CS-1.12	Facilitate the safe movement of pedestrians, bicyclists and vehicles throughout the City and support safety for community activities such as cultural and sporting events where large numbers of community members and visitors gather.
Policy CS-1.13	Maintain emergency traffic preemption controls for traffic signals.
Policy CS-1.14	Encourage property maintenance and pursue appropriate code enforcement to reduce crime, fire hazards or other unsafe conditions associated with under-maintained and under-utilized properties.

Policy CS-1.15	Apply demand management principles to control hazards through enforcement of fire and life safety codes, ordinances, permits and field inspections.
Policy CS-1.16	Coordinate and implement a comprehensive program designed to control and mitigate harmful effects resulting from the storage, use and transport of hazardous materials.
Policy CS-1.17	Promote installation of fire sprinkler systems for both commercial and residential use and in structures where sprinkler systems are not currently required by the City Municipal Code or Uniform Fire Code.
Policy CS-1.18	Maintain a program consistent with requirements of State law to inspect buildings not under authority of the Office of the State Fire Marshall.
Policy CS-1.19	Remove excessive/overgrown vegetation (e.g., trees, shrubs, weeds) and rubbish from City-owned property to prevent and minimize fire risks to surrounding properties.
Policy CS-1.20	Require private property owners to remove excessive/overgrown vegetation (e.g., trees, shrubs, weeds) and rubbish to the satisfaction of the Fire Chief to prevent and minimize fire risks to surrounding properties.
CS-1 Law Enforceme Action CS-1.21	ent and Fire Protection Actions Create long-range funding and deployment strategies for expanding and maintaining police and fire facilities and operations to address service delivery demands from new population growth.
Action CS-1.22	Maintain the City's Fire Department Strategic Plan as a tool to achieve the General Plan Level of Service and other related goals and policies. Base fire station location planning on a four-minute travel radius.
Action CS-1.23	Engage public safety personnel in the land use entitlement process for new development projects.
Action CS-1.24	Analyze service demands and deploy dynamic response techniques to reduce response time and maximize use of available resources.
Action CS-1.25	Monitor noticeable or ongoing demand for public safety services for geographical or population trends in order to improve the effectiveness of service delivery.

Action CS-1.26

Evaluate potential strategies for the use of police substation type facilities, including opportunities to locate police facilities within new mixed-use development projects, to support law enforcement activities from a distributed network of facilities located within Villages or other new growth areas.

Community Safety - Emergency Management

Goal CS-2

Promote community safety through planning, preparedness, and emergency response to natural and human-made disasters. Strive to protect the community from injury and damage resulting from natural catastrophes and other hazard conditions. Use emergency management planning to mitigate the effects of emergency situations.

CS-2 Emergency Management Policies

Policy CS-2.1

In conjunction with other local, State, and Federal agencies, ensure operational readiness of the Emergency Operations Center (EOC), conduct annual training for staff, and maintain, test, and update equipment to meet current standards.

Policy CS-2.2

Provide for continued essential emergency public services during and following natural or human-made disasters to mitigate their impacts and to help prevent major problems during post-disaster response such as evacuations, rescues, large numbers of injuries, and major clean up operations. (SJ2020 GP modified)

Policy CS-2.3

Participate in the development of updates to and implement the Association of Bay Area Governments (ABAG) multi-jurisdictional local hazard mitigation plan to maintain and enhance the disaster resistance of the San Francisco Bay Area region.

Policy CS-2.4

Implement the ABAG multi-jurisdictional local hazard mitigation plan through the Safety Element of the General Plan, the requirements for project review of the California Environmental Quality Act (CEQA), and on-going capital improvement programs.

Policy CS-2.5

Cooperate with other public and private jurisdictions and agencies to coordinate emergency response and relief efforts and to ensure adequate resources, facilities, and other support for emergency response. (SJ2020 GP modified)

Policy CS-2.6

Coordinate with other public, private, and non-profit organizations to ensure that emergency preparedness and disaster response programs serve all parts of the City equitably with regards to access to health care.

Policy CS-2.7	Undertake disaster preparedness planning in cooperation with other public agencies and appropriate public-interest organizations. (SJ2020 GP)
Policy CS-2.8	Promote awareness and caution among San José residents regarding possible natural hazards, including soil conditions, earthquakes, flooding, and fire hazards. (SJ2020 GP)
Policy CS-2.9	Permit development only in those areas where potential danger to the health, safety, and welfare of the residents of the community can be mitigated to an acceptable level. (SJ2020 GP)
Policy CS-2.10	Update, as necessary, the San José Building Code, Fire Prevention Code and Municipal Code to address geologic, fire, flooding and other hazards, and to respond to changes in applicable State Codes. (SJ2020 GP Updated)
CS-2 Emergency Ma	nagement Actions
Action CS-2.11	Assist the County of Santa Clara with periodic updates of the County-wide Area Plan for emergency response. (SJ2020 GP)
Action CS-2.12	Update the City's Emergency Operations Plan as needed based on experience in emergencies, deficiencies identified through drills and exercises, and changes in government structure and emergency organizations.
Community Safety –	Code Enforcement / Compliance with Health and Safety Codes
Goal CS-3	Working in partnership with the people of San Jose, provide education and enforcement to promote and maintain a safe and desirable community consistent with health and safety regulations.
Policy CS-3.1	Enforce ordinances to promote the health, safety, and appearance of San Jose, focusing on existing structures and neighborhood blight, and concentrating on the investigation and abatement of complaints involving health, safety, land use and zoning, housing conditions, abandoned vehicles, signs, fences, and general public nuisances.
Policy CS-3.2	Work with residents, businesses, and community organizations in conducting public outreach and educational programs to promote voluntary compliance with city ordinances.
Policy CS-3.3	Provide facilities and staffing to maintain an aggressive and visible code enforcement program.

Policy CS-3.4	Require properties with identified public nuisance violations to eliminate or remove the conditions. Seal off vacant buildings from loitering and from use as housing for unauthorized persons and mark vacant properties that cannot be boarded up for demolition. Ensure that property owners remedy the problems at their properties through procedures such as Public Hearings, fines and property liens.
Policy CS-3.5	Bring illegally constructed projects into compliance with Building Codes to ensure the safety of inhabitants and reduce neighborhood blight. Require all buildings that are identified as substandard or dangerous to be either repaired or demolished.
Policy CS-3.6	Require systematic inspection and permits for all apartment units, hotels, motels, guest houses, residential care facilities, and fraternity and sorority houses. Require that housing units are maintained to ensure a safe and healthy living environment, preventing blight and deterioration resulting from deferred maintenance. Enforce the California State Housing Code and the San Jose Municipal Housing Code.
Policy CS-3.7	Work with community groups to improve housing and citizen involvement. Educate rental property owners on how to effectively manage their properties for the purpose of improving the value of their investment for both the property owner and the community.
Policy CS-3.8	Require removal of abandoned, inoperable, and unregistered vehicles from City streets and public properties. Remove inoperable, abandoned, or dismantled vehicles from private residential properties and enforce the City's lawn parking ordinance.
Policy CS-3.9	Require removal of graffiti that is in public view.
Policy CS-3.10	Take enforcement action against individuals and property owners who have inadequate trash service or who illegally deposit their trash
Policy CS-3.11	Monitor landfill and recycling sites to ensure their proper operation and adherence to federal, State, and local codes.
Policy CS-3.12	Enforce code requirements by inspecting buildings requiring a fire code operational use permit and mandated for inspection by the California Health and Safety Code.
Policy CS-3.13	Maintain safe and fair business operations and ensure the health and safety of the general public through enforcement of State and local health and safety statues and codes.

Policy CS-3.14

Use the animal control program to promote the humane treatment of animals and to reduce the number of unwanted animals that need to be euthanized at taxpayer expense. Administer contracts for animal shelter, animal licensing, field services, and animal control activities. Oversee efforts to resolve barking dog disputes or dangerous animal situations.

Action CS-3.15

Develop and implement a Code Enforcement Master Plan to enforce code requirements and provide adequate code department facilities, services, and staffing.

Hazards Management - Seismic Hazards

Goal CS-4

Minimize the risk of injury, loss of life, property damage, and community disruption from seismic shaking, fault rupture, ground failure (liquefaction and lateral spreading), earthquake-induced landslides, and other earthquake-induced ground deformation.

CS-1 Seismic Hazards Policies

Policy CS-4.1

All new or remodeled habitable structures shall be designed in accordance with the most recent California Building Code and California Fire Code as amended locally and adopted by the City of San José, including provisions regarding lateral forces.

Policy CS-4.2

Within seismic hazard zones identified under the Alquist-Priolo Fault Zoning Act, California Seismic Hazards Mapping Act and/or by the City of San José, geotechnical and geological investigations will be completed and development proposals approved only when the severity of seismic hazards have been evaluated and appropriate mitigation measures are provided as reviewed and approved by the City of San José Geologist. State guidelines for evaluating and mitigating seismic hazards and the City-adopted California Building Code will be followed.

Policy CS-4.3

The City of San José Building Official shall require conformance with state law regarding seismically vulnerable unreinforced masonry structures within the City.

Policy CS-4.4

The City of San José will maintain up-to-date seismic hazard maps with assistance from the California Geological Survey (or other state agencies) under the Alquist-Priolo Earthquake Fault Zoning Act and the California Seismic Hazards Mapping Act.

Policy CS-4.5

Locate, design and construct vital public utilities, communication infrastructure, and transportation facilities in a manner that maximizes risk reduction and functionality during and after an earthquake. (SJ2020 GP)

Policy CS-4.6 Development in close proximity to water retention levees or dams will be restricted unless it is demonstrated that such facilities will be stable and remain intact during and following an earthquake. (SJ2020 GP)

Policy CS-4.7 Encourage retrofitting of existing older buildings in the community to withstand seismic shaking consistent with adopted Building Codes, including provisions for historic buildings.

CS-2 Seismic Hazards Actions

Action CS-4.8 Maintain and update City-wide seismic hazard maps for planning purposes on an on-going basis.

Action CS-4.9 Revise and update provisions of the City of San José Geologic Hazard Ordinance, including geologic hazard zones, as new information becomes available from state and federal agencies on faults, earthquake-induced landsliding, liquefaction, and/or lateral spreading.

Action CS-4.10 Require that a Certificate of Geologic Hazard Clearance be issued by the Director of Public Works prior to issuance of grading and building permits within defined geologic hazard zones related to seismic hazards.

Action CS-4.11 Make information available to residents and businesses on ways to reduce seismic hazards and emergency preparedness for an earthquake in conjunction with regional, state and federal agencies such as the Association of Bay Area Governments (ABAG) and the United States Geological Survey (USGS).

Hazards Management – Geologic and Soil Hazards

Goal CS-4 Minimize the risk of injury, loss of life, and property damage from soil and slope instability including landslides, differential settlement, and accelerated erosion.

CS-4 Geologic and Soil Hazards Policies

Policy CS-5.1 All new or remodeled habitable structures shall be designed and built in accordance with the most recent California Building Code and municipal code requirements as amended and adopted by the City of San José, including provisions for expansive soil, and grading and storm water controls.

Policy CS-5.2

Development in areas subject to soils and geologic hazards, including unengineered fill and weak soils and landslide-prone areas, will be approved only when the severity of hazards have been evaluated and appropriate mitigation measures are provided. New development proposed within areas of geologic hazards shall not be endangered by, nor contribute to, the hazardous conditions on the site or on adjoining properties. The City of San Jose Geologist will review and approve geotechnical and geological investigation reports for projects within these areas as part of the project approval process.

Policy CS-5.3

Locate new public improvements and utilities outside of areas with identified soils and/or geologic hazards to avoid extraordinary maintenance and operating expenses. Where the location of public improvements and utilities in such areas cannot be avoided, effective mitigation measures will be implemented. (SJ2020 GP Updated)

Policy CS-5.4

All new development shall conform to the City of San Jose's Geologic Hazard Ordinance.

Policy CS-5.5

Ensure that any development activity that requires grading does not impact adjacent properties, local creeks and storm drainage systems by designing and building the site to drain properly and minimize erosion. An Erosion Control Plan is required for all private development projects that have a soil disturbance of one acre or more, are adjacent to a creek/river, and/or are located in hillside areas. Erosion Control Plans are also required for any grading occurring between October 15 and April 15.

Policy CS-5.6

Development proposed in areas with soils containing naturally occurring asbestos (i.e., serpentinite) that would require ground disturbance and/or development of new residential or other sensitive uses, will be evaluated for risks to people from airborne asbestos particles during construction and post-construction periods. Hazards shall be assessed, at minimum, using guidelines and regulations of the Bay Area Air Quality Management District and the California Air Resources Board.

CS-5 Geologic and Soil Hazards Actions

Action CS-5.7 Maintain and update City-wide geologic hazard maps for planning purposes.

Action CS-5.8

Revise and update provisions of the City of San Jose Geologic Hazard Ordinance, including geologic hazard zones, as new information becomes available from state and federal agencies on landsliding potential and other geologic hazards.

Action CS-5.9 Require a Certificate of Geologic Hazard Clearance to be issued by the Director of Public Works prior to issuance of grading and building permits within defined geologic hazard zones.

Action CS-5.10 Require the preparation of geotechnical and geological investigation reports for projects within areas subject to soils and geologic hazards, review of re and implementation of mitigation measures as part of the project approval process.

Action CS-5.11 Require review and approval of grading plans and erosion control plans (if applicable) prior to issuance of a grading permit by the Director of Public Works.

Action CS-5.12 Use published maps and site specific geotechnical reports to identify possible areas of naturally occurring asbestos within the City of San Jose's Urban Growth Boundary for use in evaluating proposed development.

Hazards Management - Flooding and Urban Storm Water Runoff Hazards

Goal CS-6 Protect the community from flooding and inundation and preserve the natural attributes of local floodplains and floodways. (SJ2020 GP)

CS-6 Flooding and Urban Storm Water Runoff Hazards Policies:

Policy CS-6.1 The City shall require evaluation of flood hazards prior to approval of development projects within a Federal Emergency Management Agency (FEMA) designated floodplain. New development shall be reviewed to ensure it is designed to provide protection from flooding with a one percent annual chance of occurrence, commonly referred to as the "100-year" flood or whatever designated benchmark FEMA may adopt in the future. (SJ2020 GP Updated)

Policy CS-6.2 Development in watershed areas beyond the Urban Growth Boundary shall only be allowed when adequate mitigation measures are incorporated into the project design to prevent additional flood risk and unnecessary or excessive siltation of flood control ponds and reservoirs. (SJ2020 GP Updated)

Policy CS-6.3 Preserve designated floodway areas for non-urban uses. (SJ2020 GP)

Policy CS-6.4 Prepare and periodically update appropriate emergency plans for the safe evacuation of occupants of areas subject to possible inundation from dam and levee failure and natural flooding. (SJ2020 GP)

Policy CS-6.5	Support State and Federal legislation which provides funding for the construction of flood control improvements in urbanized areas. (SJ2020 GP)
Policy CS-6.6	New urban development shall only be allowed when mitigation measures are incorporated into the project design to ensure that new urban runoff does not increase flood risks elsewhere. (SJ2020 GP)
Policy CS-6.7	Cooperate with the Santa Clara Valley Water District to develop and maintain additional flood control retention facilities in areas where they are needed or where the design capacity of existing retention facilities cannot be restored. (SJ2020 GP)
Policy CS-6.8	The City shall work with local, regional, state and federal agencies to ensure new and existing levees provide adequate flood protection. The City shall be an active partner with the Santa Clara Valley Water District and other levee owners with respect to National Flood Insurance Program (NFIP) levee recertification.
Policy CS-6.9	The City shall encourage the preservation of urban creeks and rivers to maintain existing floodplain storage. When in-channel work is proposed, engineering techniques which include the use of plant materials (bioengineering) are encouraged.
Policy CS-6.10	Reduce the amount of impervious surfaces as a part of redevelopment and roadway improvements through the selection of materials, site planning, and street design where possible.
Policy CS-6.11	Critical facilities (such as the Water Pollution Control Plant, local hospitals, and police and fire service facilities) and large public assembly facilities shall be located and designed to mitigate potential flood risk to ensure long term operation.
Policy CS-6.12	As a part of the City's policies for addressing the effects of climate change and projected water level rise in San Francisco Bay, the City requires evaluation of projected inundation for development projects near San Francisco Bay or at flooding risk from local waterways which

discharge to San Francisco Bay. For projects affected by increased water levels in San Francisco Bay, the City requires incorporation of mitigation measures prior to approval of development projects. Mitigation measures incorporated into project design or project location shall prevent exposure

to substantial flooding hazards from increased water levels in San Francisco Bay during the anticipated useful lifetime of structures.

CS-6 Flooding and Urban Storm Water Runoff Hazards Actions:

Action CS-6.13 Implement the requirements of FEMA relating to construction in Special Flood Hazards Areas as illustrated on Flood Insurance Rate Maps. Periodically update the City's Flood Hazard Regulations to implement FEMA requirements.

Action CS-6.14 The City will participate in the National Flood Insurance Program (NFIP) Community Rating System (CRS). The CRS is a voluntary incentive program that recognizes and encourages community floodplain management activities that exceed minimum NFIP requirements. Flood insurance premium rates for property owners within the city may be discounted to reflect the reduced flood risk resulting from the community actions meeting the three goals of the CRS, which are to reduce flood damage to insurable property; strengthen and support the insurance aspects of the NFIP; and encourage a comprehensive approach to floodplain management.

Action CS-6.15 Implement the Low Impact Development (LID) requirements of the City's Municipal NPDES Permit to the maximum extent feasible by December 2011, including reducing urban runoff from new development and redevelopment sites.

Action CS-6.16 Implement the Hydromodification Management requirements of the City's Municipal NPDES Permit to manage runoff flow and volume from new development and redevelopment sites.

Action CS-6.17 Maintain City storm drainage infrastructure in a manner that reduces flood hazards. As the storm drainage system is extended or modified, provide capacity to adequately convey the 10-year storm event.

Action CS-6.18 Develop and maintain a Storm Drainage Master plan and work with other agencies to develop broader Watershed Management Plans to model the City's hydrology.

Action CS-6.19 Monitor information from regional, state, and federal agencies on water level rises in San Francisco Bay on an on-going basis. Use this information to determine if additional adaptive management actions are needed to deal with flooding hazards from increasing sea levels for existing or new development and infrastructure.

Hazards Management – Hazardous Materials

Goal CS-7 Protect the community from the risks inherent in the transport, distribution, use, storage, and disposal of hazardous materials. (SJ2020 GP)

CS-7 Hazardous Materials Policies

Policy CS-7.1

The City requires and shall continue to require all users and producers of hazardous materials and wastes to clearly identify and inventory the hazardous materials that they store, use or transport in conformance with local, state and federal laws, regulations and guidelines.

Policy CS-7.2

The City requires proper storage and use of hazardous materials and wastes to prevent leakage, potential explosions, fires, or the escape of harmful gases, and to prevent individually innocuous materials from combining to form hazardous substances, especially at the time of disposal by businesses and residences. The City requires proper disposal of hazardous materials and wastes at licensed facilities. (SJ2020 GP Updated)

Policy CS-7.3

The City shall continue to provide information to the public on the proper disposal of products by households and small businesses with practical pollution prevention options for the use, recycling, and disposal of products containing hazardous substances under City and County of Santa Clara programs for Household Hazardous Waste Disposal.

Policy CS-7.4

All proposals for new or expanded facilities that handle hazardous materials that could impact sensitive uses off-site will be required to include adequate mitigation to reduce identified hazardous materials impacts to less than significant levels.

Policy CS-7.5

Transportation routes to and from hazardous waste facilities shall be designated by the City as part of the permitting process in order to minimize adverse impacts on surrounding land uses and to minimize travel distances along residential and other non-industrial frontages. (SJ2020 GP)

Policy CS-7.6

Environmental review for all proposals for new residential, park and recreation, school, day care, hospital, church or other uses that would place a sensitive population in close proximity to sites on which hazardous materials are or are likely to be located must address the likelihood of an accidental release, the risks posed to human health and for sensitive populations, and mitigation measures, if needed, to protect human health.

Policy CS-7.7

Land uses and development that use hazardous materials that could impact existing residences, schools, day care facilities, community or recreation centers, senior residences, or other sensitive receptors if accidentally released shall not be approved without the incorporation of adequate mitigation or separation buffers between uses.

CS-7 Hazardous Materials Actions

Action CS-7.8

The City will use information on file with the County of Santa Clara Department of Environmental Health under the California Accidental Release Prevention (CalARP) Program as part of accepted Risk Management Plans to determine whether new residential, recreational, school, day care, church, hospital, seniors or medical facility developments could be exposed to substantial hazards from accidental release of airborne toxic materials from CalARP facilities.

Action CS-7.9

Adopt City guidelines for assessing possible land use compatibility and safety impacts associated with the location of sensitive uses near businesses or institutional facilities that use or store substantial quantities of hazardous materials by June 2011. The City will only approve new development with sensitive populations near sites containing hazardous materials such as toxic gases when feasible mitigation is included in the projects.

Action CS-7.10

The City shall continue to identify source reduction and recycling as alternatives to hazardous materials land disposal whenever feasible.

Action CS-7.11

Continue to promote the provision of used oil recycling and/or hazardous waste recycling facilities and drop-off locations for residents.

Hazards Management – Environmental Contamination

Goal CS-8

Protect the community and the environment from exposure to hazardous soil, soil vapor, groundwater, and indoor air contamination and hazardous building materials in existing and proposed structures and developments and on public properties, such as parks and trails.

CS-8 Environmental Contamination Policies

Policy CS-8.1

For development and redevelopment projects, require evaluation of the site's historical and present uses to determine if any potential environmental conditions exist that could adversely impact the community or environment.

Policy CS-8.2

Identification of existing soil, soil vapor, groundwater and indoor air contamination and mitigation for identified human health and environmental hazards to future users shall be provided as part of the environmental review process for all development and redevelopment projects. Mitigation measures for soil, soil vapor and groundwater contamination shall be designed to avoid adverse human health or environmental risk, in conformance with regional, state and federal laws, regulations, guidelines and standards.

Policy CS-8.3

Where a property is located in near proximity of known groundwater contamination with volatile organic compounds or within 1,000 feet of a and active or inactive landfill, the potential for indoor air intrusion of hazardous compounds shall be evaluated and mitigated to the satisfaction of the City's Environmental Compliance Officer and appropriate regional, state and federal agencies prior to approval of a development or redevelopment project.

Policy CS-8.4

On redevelopment sites, the presence of hazardous building materials shall be determined during the environmental review process or prior to project approval. Mitigation and remediation of hazardous building materials, such as lead-paint and asbestos-containing materials, shall be implemented in accordance with state and federal laws and regulations.

Policy CS-8.5

On development and redevelopment sites, all sources of imported fill shall have adequate documentation that it is clean and free of contamination and/or acceptable for the proposed land use considering appropriate environmental screening levels for contaminants. Disposal of groundwater from excavations on construction sites shall comply with local, regional, and state requirements.

Policy CS-8.6

The City will encourage use of green building practices to reduce exposure to volatile or other hazardous materials in new construction materials.

Policy CS-8.7

Any development or redevelopment site that is within 1000' of a known, suspected, or likely geographic ultramafic rock unit (as identified in maps developed by the Department of Conservation – Division of Mines and Geology) or any other known or suspected locations of serpentine or naturally occurring asbestos, shall determine if naturally occurring asbestos exists and comply with the Bay Area Air Quality Management District's Asbestos Air Toxic Control Measure requirements.

CS-8 Environmental Contamination Actions

Action CS-8.8

Where an environmental review process identifies the presence of hazardous materials on a proposed development site, the City will ensure that feasible mitigation measures that will reduce impacts to human health and safety and to the environment are required of or incorporated into the projects. This applies to hazardous materials found in the soil, groundwater, soil vapor, or in existing structures.

Action CS-8.9

Ensure Coordination with the County of Santa Clara Department of Environmental Health, Regional Water Quality Control Board, Department of Toxic Substances Control or other applicable regulatory agencies, as appropriate, on projects with contaminated soil and/or groundwater or where historical or active regulatory oversight exists.

Action CS-8.10

Require review and approval of grading, erosion control and dust control plans prior to issuance of a grading permit by the Director of Public Works on sites with known soil contamination. Construction operations shall be conducted to limit the creation and dispersion of dust and sediment runoff.

Action CS-8.11

Require sampling for residual agricultural chemicals, based on the history of land use, on sites to be used for any new development or redevelopment to account for worker and community safety during construction. Mitigation to meet appropriate end use such as residential or commercial/industrial shall be provided.

<u>Hazards Management - Airport</u>

Goal CS-9

Ensure that airport facilities in San José are safe by removing potential conflicts between land use and airport operations.

SHM-9 Airport Policies

Policy CS-9.1

Foster compatible land uses in the vicinity of Mineta San José International and Reid-Hillview Airports.

Policy CS-9.2

Regulate development in the vicinity of airports in accordance with Federal Aviation Administration guidelines to:

- Maintain the airspace required for the safe operation of these facilities.
- Avoid reflective surfaces, flashing lights and other potential hazards to air navigation. (San José 2020 General Plan)

Policy CS-9.3

For development in the vicinity of airports, take into consideration the safety and noise policies identified in the Santa Clara County Airport Land Use Commission (ALUC) comprehensive land use plans for Mineta San José International and Reid-Hillview airports.

Policy CS-9.4

Require avigation easement dedications, as needed, as a condition of approval of development in the vicinity of airports. (San José 2020 General Plan)

Hazards Management – Wildland and Urban Fire Hazards

Goal CS-10

Protect lives and property from risks associated with fire-related emergencies at the urban wildland interface.

CS-10 Wildland and Urban Fire Hazards Policies

Policy CS-10.1

Minimize development in very high fire hazard zone areas shown on Figure xx and plan and construct permitted development so as to reduce exposure to fire hazards and to facilitate fire suppression efforts in the event of a wildfire.

Policy CS-10.2 Avoid actions which increase fire risk, such as increasing public access roads in very high fire hazard areas, because of the great environmental

damage and economic loss associated with a large wildfire.

Policy CS-10.3 For development proposed on parcels located within a very high fire

hazard severity zone or wildland-urban interface area, continue to implement requirements for building materials and assemblies to provide a reasonable level of exterior wildfire exposure protection in accordance with City-adopted requirements in the California Building Code.

Policy CS-10.4 Require use of defensible space vegetation management best practices to protect structures at and near the urban/wildland interface.

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[Figure xx: Include Map of Areas at Risk from Wildland Fires in Eastern and Southern Foothills based upon California Department of Forestry and Fire Protection Wildland Urban Interface Fire Hazard Maps at ttp://frap.cdf.ca.gov/fhszlocalmaps/santa_clara/San_Jose.pdf]

CS-10 Wildland and Urban Fire Hazards Actions

Action CS-10.5 Periodically assist with revisions and updates of appropriate sections of

the County-wide Area Plan that address emergency response to fires at

the urban/wildland interface.

Action CS-10.6 Continue to provide information to the public on fire hazard reduction in

cooperation with local, regional, and state agencies, including the County

of Santa Clara FireSafe Council.